# OUR NEW CONSTITUTION COMPARED WITH THE OLD

Review of the Work of the Convention, Now Nearing its Close, With the Changes That Have Been Made Pointed Out.

HOW THE REVENUES WILL BE 'INCREASED

By HON, ROBERT TURNBULL. (Member or the Convention from Brunswick.)

In compliance with your request I will pose of a bill, but disapproves any part undertake in as few words as possible to point out the difference between the old Constitution and the new one, and the advantages that will result to the propular from the changes. people from the changes.

Bill of Rights.

The first material change in the Bill of Rights is in the eighth section of the old bill, which is the sixth section of the new bill. The old bill provides that the people cannot be "deprived of their property for public uses without their own consent or that of their representatives."
Under this provision and the laws enacted thereunder the courts held that it mattered not how much a person's property was damaged by a public improvement, such as the building of a railroad or the grading of a street, that such person was entitled to no compensation unless his property or a portion of it was actually taken. The new section reads "deprived of, or damaged in, their property for pub-lie uses, etc.," and therefore, under the new section those who are deprived of their property for public uses as well as those whose property is damaged by the public improvement must be compensated. The next change is in the tenth section of the old bill of rights, which is the eighth section under the new bill. The old section provides "that no man be deold section provides "that no man be de-prived of his life or liberty except by the law of the land, or the judgment of his peers"; the new section adds to this the words "nor shall any man be twice put in jeopardy for the same offense, except that an appeal may be allowed to the Commonwealth in all cases of violation of a law relating to the State revenue." The new section further provides that "in any criminal case, upon a plea of guilty, tendered in person by the accused, and with the consent of the attorney for the Commonwealth, entered of record, the court shall, and in a prosecution for an offense not punishable by death or confinement in the penitentiary upon a plea of not guilty, with the consent of the ac-cused, tendered in person, and the attor-ney for the Commonwealth, entered of record, the court, in its discretion, may hear and determine the case without the hear and determine the case without the intervention of a jury. And it further provides that the General Assembly may provide by law for the trial of such cases by a jury consisting of less than twelve but not less than five. It is thought that this will greatly facilitate the trial of cases and save considerable expense to

the State.

The next change is in the thirteenth section of the old bill, which is the eleventh section of the new bill. The old section of the new bill. tion simply provides that the trial by jury in all controversies between man and man is preferable to any other, and ought to be held sacred, while the new section provides that no person shall be deprived of his property without due process of law, and gives the General Assembly the right and gives the General Assembly the right to provide for a jury of less than twelve. but not less than seven for the trial of civil cases not now triable by a justice of the peace, and for a jury of not less than five in such cases now triable by nan five in such cases now triable by a justice of the peace, whether such cases are brought into court by original process or by appeal or removal from a justice. This provision will save considerable expense to the counties and cities of the

This provision will save considerable expense to the counties and cities of the State in the way of jury service.

The next change is the seventeenth section of the old bill, which is the fifteenth section of the new bill. The Declaration of Rights made on the 12th of June, 1776, provided in section fifteen, "that no free government, or the blessing of liberty, can be preserved to any people, but by a firm adherence to justice, moderation, temperance, frugality and virtue, and by freezent recurrence to fundamental prinfrequent recurrence to fundamental prinfreceent resurrence to fundamental par-ciples, but the Underwood Convention struck out the word "frugality." The present convention believing, with the fothers of our government, that the prin-ciples of government should not only rest upon justice, moderation, temperance and virtue but upon prudent economy as well virtue, but upon prudent eco have restored the word frugality.

# Executive Department.

The first section of the article on the Executive Department under the old Constitution provides that the Governor shall go into office on the first day of January succeeding his election, and while the time for him to go into office has not yet been fixed by the present convention, it is believed that he will go into office under the new Constitution until some time in February following his election, as under the article on the Legislative Department, the General Assembly does not convene until the second Wednesday in January succeeding the election of mem-bers thereof, and as the General Assembly counts the votes for Governor, he cannot, therefore, go into office until some time offer the General Assembly meets.

The third section of the article under the old Constitution provides that no per-

son shall be eligible to the office of Gov-ernor unless he shall have been a resident of this State for three years. The present convention has changed this to five years.

The fifth section of the new Constitution gives the Governor, in addition to the powers given under the old Constitution, the power, during the recess of the General Assembly, "to suspend from office for misbehavior, incapacity, neglect of official duty, or acts performed without due authority of law, all executive officers at the seat of government excent the lieuthe seat of government except the lieutenant-Governor, but in any case in which this power so exercised the Governor shall open session, after the tille of the bills report to the General Assembly, at the beginning of the next session thereof, the fact of such suspension and the cause therefor, whereupon the General Assem-bly shall determine whether such officer shall be restored or finally removed, and the Governor shall have power, during the recess of the General Assembly, to appoint, pro tempore, successors to all officers so suspended." It was thought necessary to give the Governor this addiional power so that prompt action could e taken by him for the protection of the State in the cases above enumerated.

The sixth section of this article in the old Constitution only allows the Governor to require information in writing from the executive officers upon subjects relating to their duties, and to require the ophr. of the Attorney-General upon questions of law relating to his official duties. This section of the new Constitution gives the Governor much greater powers. He can require like information from superintend-ents of State institutions, and requires the information to be given under oath; ferred with the accompanying statement and it gives him the power to inspect at any time the official books, accounts and the submitted that this provision will prevent the passage of special, private tions and ascertain the condition of the public funds in their charge, and in this somection gives him the power to employ

The next change is in section eight. Unfor the old Constitution a bill or resolu-tion may be passed over the Governor's veto by a vote of two-thirds of the memers present. The new Constitution re-guires that the two-thirds shall include a majority of the members elected to each Rouse. The new section also allows the

The new section also gives the authority to the Governor to have at least ten days, after the final adjournment of the General Assembly, in which to consider and sign the bills passed by the General Assembly within the last five days of the session. It is believed that the new section is a great improvement on the old section, and will result in great good to the Commonwealth.

In the new Constitution the twelfth and thirteenth sections of the old Constitution are combined into one, and it provides that the Secretary of the Com-monwealth shall be elected by the people instead of by the General Assembly as provided in the old Constitution.

The other changes are that the State

Treasurer is to be elected by the people instead of by the General Assembly. The Board of Public Works as now constituted is abolished and the duties of the Board are to be discharged by the Cor-poration Commission. The General Assembly is directed to provide by-laws for the establishment and maintenance of an efficient system of checks and balances between the officers at the seat of Government entrusted with the collection, receipt, custody or disbursement of the revenues of the State, and all State ing Committee, which shall annually, or officers charged with the collection, cus-tody, handling or disbursement of public funds are required to give bond for the faithful performance of their duties.

#### Legislative Department.

Many important changes have been made in the new Constitution in reference to this branch of the Government, which, it is believed, will result in great benefit to the people and render it much less expensive

Under the old Constitution the General Assembly meets in December, under the new Constitution it will meet on the second Wednesday in January. Under the old Constitution the regular session of the General Assembly are limited to ninety days; under the new the sessions, after the first, are limited to sixty days. Un-der the old Constitution the Senators were elected for four years, under the new they are elected for two years.

Under the old Constitution no perso

holding a salaried office is capable co being elected a member of either House o the General Assembly. Under the new Constitution, "no person holding a salaried office under the United States Government or under the State Government and no judge of any court, attorney for the Commonwealth. sheriff, sergeant, er of the revenue, collector of taxes, or clerk of any court, shall be a member of either house of the General Assembly.

The old Constitution provides that no member of the General Assembly, during the term for which he shall have been elected, shall be appointed to any civi office of profit under the Commonwealth except officers filed by election by the people. The new Constitution provides that no member of the General Assembly, shall during the term for which he shall be elected, be appointed or elected

to any civil office except offices filed by

election by the people. This provision prevents members of the General Assembly from electing themselves to office. The old Constitution simply directs that "no bills shall become a law until it has been read on three different days of the session in the house in which it originated unless two-thirds of the members in that House shall otherwise determine." The new Constitution provides that no law shall be enacted except by bill, and that no bill shall become a law until it is referred to a committee, printed for the use of the members, acted upon by the committee in session and returned therefrom, read at length on these 200. new Constitution provides that no law from, read at length on three differen calendar days in each House and on its final passage in each House, the vote taken by year and nays and entered or the journal; and two-fifths of the mem bers elected to each House, including a majority of those voting must be recorded its favor; and if the bill imposes, continues or revives any appropriation of public or trust money or property, or releases, discharges or commutes claim or demand of the State it must re ceive a majority of the members elected to each house: But such printing or reading or both be dispensed with in the case of a bill codifying the laws of the State, or in any case of emergency expressed by a vote of four-fifths of the members voting in each House. Section 11 of the new Constitution further pro vides that either house by a vote of two fifths of the members elected thereto, in cluding a majority of those voting, may discharge a committee from the cosidera-tion of any bill which it refuses or fails to return and proceed with the considera from the committee. Said section further provides that no amendment to a bil by one House shall be concurred in by the other, nor shall a report of a committee of conference be adopted by either house, except by a vote of two-fifths of the members elected thereto. And it fur-

majority of those voting, to discharge a committee which fails or refuses to re-port a bill. Another very important provision in the new Constitution on this subject is that it requires the appointment of a joint committee of the two houses which shall be a standing committee on special, private and local legislation, to which com mittee shall be referred all special, prirate or local bills introduced in either house, and said committee is required to report to the House in which the bill originated whether the object of the bill can be accomplished under a general low or by a court proceeding and upon law or by a court proceeding said report being made the bill is re prevent the passage of special, private or local bills in all cases where a gen-eral bill will answer the purpose, and thus prevent the General Assembly from having so much of their time devoted to

ther requires that the presiding officer o

on the old section, because it effectually prevents hasty or ill-considered legisla-

tion, and prevents legislation from being blocked as it allows two-fifths of the members of either house, including a

and the provided state of the people of the such matters.

members of each house it-is otherwise directed. This will enable the people of the Commonwealth to inform themselves in regard to the laws before they go into effect. Section 24 of the new article on this subject forbids the passible of the subject forbids the passible of the subject forbids they have in article on this subject forbids the passage of special, private or local laws in a number of instances, such as the granting of charters to private corporatios, granting any special privilege or exclusive right, privilege or immunity to any private corporation or individual; granting any pension or pensions; extending the time for the collection of taxes; refunding money lawfully paid into the treasury, and section 25 directs the General Assembly to pass general laws on those subjects, and in other cases where general laws can be enacted which will accomplish the purpose. It is believed that these two sections will confine the General Assembly principally confine the General Assembly principally to the enactment of laws general in their nature and will result in saving the members from great annoyance and be a great saving to the people of the State. Section 25 also forbids the General As-Section 25 also forbids the General Assembly from exempting any individual from the operation of any general law, nor shall its operation be suspended for the benefit of any private corporation, association or individual, but local, special or private laws now in force shall remain so until repealed.

Section 26 gives the General Assembly nower, by general laws, to confer upon

power, by general laws, to confer upon the boards of supervisors of counties and councils of cities and towns powers of local and special legis as it may from time to time deem expedient.

Section 27 requires the General Assembly to fix the per diem allowance of the employes of the Senate and House to compensate them for the time actually employed, and makes the clerk of the House the keeper of the rolls, and allows him to charge fees to individuals for services rendered, but prohibits him from receiving any compensation from the State as such.

Section 28 prohibits the General As-sembly from making any appropriation of public funds to church or sectarian institutions, whether charitant, interest trial, educational or otherwise, not owned or controlled by the State, but allows the continuation of the appropriation to William and Mary College. sembly at each regular session to appoint a standing committee, consisting of two members of the Senate and three of the House, to be known as the Audit oftener, in their discretion, examine the books and accounts of the First and Second Auditor, the State Treasurer and the Secretary of the Commonwealth and report the result to the Governor, and annually publish the same in two newspapers of general circulation in the State, and gives the committee the power to employ one or more expert ac countants to assist in making the said examinations. This is a very important provision. Heretofore the practice has been for committees to be appointed by the Senate to make examination of the above offices during the sessions of the General Assembly, which was impos-sible, and under the new provision ample time is given the committee to make these examinations and see that prope checks and balances are kept, and must result in good to the Commonwealth.

The Judiclary Department.

There are many important changes made in this department, which may be considered unnecessary at first, but it is believed the changes will finally result in great good to the Commonwealth. Under the new system the County Courts have been abolished, and all the busi-ness of the County Courts is to be done by the Circuit Court, which may be held by the Circuit Court, which may be held in every county once every two months, if not oftener. Under the old system the County Courts had jurisdiction only of criminal cases and civil cases involving \$100 and under, and of appeals from jus-tices of the peace, and the credit system in the country was almost destroyed be-cause the Circuit Courts in most cases were only held once in six months. Since were only held once in six months. Since the adoption of the present County Court system the criminal expenses of the State have gradually increased, and it is believed that under the new system the criminal expenses of the State wil be greatly reduced, as the new system will be more efficient in every way. Under the old system the jurisdiction of the Supreme Court of Appeals in matters merely pecuniary was fixed at \$500, while under the new system it is fixed at \$300. Under the old system no qualification could be had on an estate or a will admitted to probate except in open court, under the new system the clerk of the Circuit Court is made a probate judge, and qualifications on estates may be had and wills admitted to probate courts remain as at present, except that in cities of less than 10,000 inhabitants, by a majority vote of the electors in any such city, the Corporation Court may be abolished. The salaries of the Circuit Court judges and of the judges of city courts in cities having over 10,000 inhabitants, are fixed at \$2,000 per an-num, one-half to be paid by the State and the other half by the counties and cities composing the circuits. The salaries of judges in cities under 10,000 inhabitants are to be paid by said cities. Salaries of judges under old system ..... 106,696 70

Total saving to people of State in salaries..... \$ 27,444 16 Government of Citles and Towns.

The changes in this article deemed of ufficient importance to refer to are as follows:

1. All municipal corporations containing 5,000 inhabitants or more are to be known as cities, and all having less than 5,000 inhabitants are to be known as towns.

2. General laws for the organization and government of cities and towns shall be passed by the General Assembly, except in cases where the object of the act cannot be attained by general laws, and then only by a recorded vote of two-thirds of the members elected to each

nouse of the General Assembly.

3. The terms of office of the officers of the cities are fixed at four years, fracted of two years, except that the term of the clerk of the court is fixed at eight years, instead of six.

4. The Commissioners of the Revenue for the cities are to be elected or appointed in a manner to be prescribed by

law, but if to be elected by the people they are made ineligible to the office for the next succeeding term.

5. The City Treasurers cannot be

elected or serve but two consecutive erms, nor act as deputy for their im-6. The City Council of each city shall be composed of two branches, having a

of Council to Consist of one branch.

7. No ordinance or joint resolution appropriating money exceeding one hundred dollars, imposing taxes or authorizing or borrowing money, shall be passed by the Council except by a recorded vote of a majority of all the members elected to each branch of the Council.

10. No street railway, gas, water, steam or electric heating, electric light or power, cold storage), compressed air, laduct, conduit, telephone or bridge company, nor any corporation, association, erson or partnership engaged in these relike enterprises, shall be permitted to use the strects or public grounds of a city or town without the previous content of the corporate authorities of such rity or town, and no franchise, lease or gift to use the same shall be for a concern period than thirty years. And no concern period than thirty years. And no is charged with the duty of ascertaining

11. Cities and towns are prohibited from issusing bends or other interest, bearing obligations for an amount greater than eighteen per centum of the assessed value of the real estate in such thy or town unless by an affirmative vote of the majrity of the qualified voters of the city or town.

#### County Organizations.

The changes in this article are: 1. There shall be one Clerk of the Court instead of a Clerk of the County and Circuit Court as in the old Constitu-tion, and he is elected for eight years

instead of six years .

2. The County Treasurer cannot be elected or serve more than two consecu-tive terms, and he cannot act as deputy for his immediate successor.

3. Commissioners of the Revenue are to be elected of appointed in the manner to be provided by law, but if elected they cannot hold office but one term. 4. The Boards of Supervisors are re-quired to meet at fixed periods and as often as may be necessary.

5. District officers are to be elected for

four years instead of two and are to be elected in November instead of May. 6. The General Assembly is required by law to provide for he examination of he books, accounts and settlements of city and county officers who are charged with th collection and disbursment of

#### Education.

The changes in this article are as fol i. The Superintendent of Public In-struction is required to be elected by the people instead of by the General As-

2. The State Board of Education is to be composed of the Governor, Attorney General, Superintendent of Public In struction and three experienced educa tors, to be elected by the Senate from a list of eligibles, one each, to be furnished by the Board of Visitors or Trustees of the University of Virginia, Virginia Military Institute, Virginia Polytechnic Institute, State Female Norma School at Farmville and William and Mary College, instead of the Governor Attorney-General and Superintendent o Public Instruction as under the old Constitution. And said Board are required to associate with them two division super-

intendents of public schools.

3. The said State Board of Education may divide the State into appropriate chool divisions and appoint, subject t the confirmation of the Senate, on school superintendent for cach division instead of appointing a superintendent of schools for each county as now provided

by law.
4. The said Board is given authority to make all needful rules for the management and conduct of the public free schools, and shall select text boxas and educational appliances for

use in said school.

5. The said Board shall appoint a Board of five directors who shall serve without compensation, in which shall be vested the management of the State Library and the appointment of a Librarian and other employes therefor, subject to such rules and regulations as the General Assembly may prescribe. Under the present law the Secretary of the Commonwealth is the Librarian and has charge of the library fund.

The General Assembly shall apply the annual interest on the literary fund, the capitation tax, and an annual tax on property of not less than one nor more than five mills on the deliar to the pub lie free schools of the primary and gramman grades, for the equal benefit of all of the people of the State, to be apportioned on a bassis of a school population, said schools to be maintained for at least four months. And each city town (if the same be a separate school district), county and school district is authorized to raise additional sums by a tax on property not to exceed in the ag gregate five mills on the dollar in one year, to be apportioned and exn establishing and maintaining such schools as in their judgment the public welfare may require.

. The school age is made from sever twenty inclusive, instead of from five to twenty-one inclusive, as now provided

8. The appropriation of public funds to schools or institutions of learning not owned or controlled by the State is pro-

9. At present the General Assembly an propriates two hundred thousand dollars annually of the revenue collected for general purposes to the support of the public free schools. Under the new Constitution the public free schools must be supported from the tax levied for that purpose, the capitation tax and the interest or the literary fund.

# Taxatlon and Finance.

The changes on this subject are very

The old Constitution provides that taxation shall be equal and uniform and all property, both real and personal, shall be taxed in proportion to its value. The new Constitution provides that taxes shall be uniform upon the same class of sub-

jects.

Tangible personal property and real
to be assessed for taxation at their fair market value, but the General Assembly may allow a lower rate of inxation to be imposed for a period o years by cities and towns upon such land as may be added to or taken into the cor porate limits of cities and towns than is imposed on such property in the limits of cities and towns at the time such land is added. The object of this provision being not to tax the newly added districts as high as the old until they have had time to obtain the same benefits and ad-

unite to obtain the same beneats and advantages as the old districts.

3. Under the new Constitution a franchise tax may be imposed by the General Assembly, and it may, in imposing such tax, make the same in lieu of taxes upon other property, in whole or in part, of a transportation, industrial or commercia orporation. And whenever a franchise tax is imposed or the capital stock of a corporation is taxed, the shares of stock ssued by such corporation shall not be

further taxed.

4. Under the present law cities and towns can impose a tax on abutting land wners for strect or other public improve-nents, but under the new Constitution no such tax can be imposed except for mak-ing or improving the walkways upon the then existing streets and improving and paying then existing alleys, and for the construction or otherwise use of sewers; and the same when imposed shall not be n excess of the peculiar beliefits resultng therefrom to such abutting land-own-

5. The General Assembly are required to provide by law for the special and sep-arate assessment of all coal and other mineral land.

6. The capitation tax is fixed at one dollar for public free school purposes and fifty cents to be appropriated as the country or city authorities may determine, bu the General Assembly may authorize the Board of Supervisors of any county or the Common Council of any city or town the Common Council of any city or town to levy an additional capitation tax, no exceeding one dollar per annum, for

school or other purposes.
7. No statute of limitation shall herefor taxes upon any property.

8. Under the old Constitution no tax

can be imposed for the privilege of tak-ing or catching oysters from their natural beds with tongs in the waters of the State. Under the new Constitution the

for taxation instead of the Board of Pub-lic Works as now provided by law. And such rallway or canal corporations, insuch railway or canal corporations, including also any such as is exempt from taxation as to its works, visible property or profits, shall also pay to the State an annual State franchise tax equal to one per centum upon the gross transportation receipts of such companies, the manner of ascertaining which is provided in the new article. It is estimated that this provision alone will add to the revenues of vision alone will add to the revenues of the State at least the sum of two hun-dred and sixty thousand dollars.

10. Trust and security companies are to be taxed in the same manner as banks are now taxed, but the assessed value of he real estate of such companies and banks is to be deducted from the assessed value of the companies and banks is to be deducted from the assessed value of the shares of stock of such com-panies and the tax imposed on the resi-

11. Under the old Constitution property used for benevolent, charitable, educational and religious purposes is exempted from taxation, and it is estimated that at least fifeen millions of dollars' worth of property in the State is not toward. property in this State is not taxed under this provision. The new Constitution restricts this provision as follows:

(a) It exempts church buildings wholly

used for religious purposes and buildings used for the residence of ministers with the land they occupy and such additional adjacent land as may be reasonably nec-

essary for the use of such builings,

(b) Family burying-grounds not exceeding one acre, and public burying grounds not conducted for profit.

(c) Buildings with the land they occu-

and furniture, books and instrument belonging to and actually used by public libraries not conducted for profit, incorporated colleges, academies, seminaries and other institutions of learning, and which are wholly devoted to educational uses, and which are not corporations hav-ing shares of stock or otherwise owned by individuals or other corporations, and which are not conducted for the profit of any person or persons, together with such additional adjacent land owned by such institutions as may be reasonably necessary for the convenient use of such buildings. The permanent endowment funds held by such institutions. But these exemptions do not apply to indusrial schools which do work for compensa tion, or manufacture or sell articles in the community in which such schools are

(d) Real estate of Young Men's Chris-(a) Real estate of found aten's Christian Associations or other similar religious societies, orphan asylums, reformatories, hospitals and nunneries not conducted for profit and purely charities.

profit and purely charities.

(e) Buildings with land they actually occupy belonging to benevolent or charitable associations and used exclusively for lodge purposes or meeting rooms, with such additional land. such additional land as may be neces-sary for the convenient use of such build-(f) Obligations issued by countles, cities or towns may be exempted by the authorities of such localities from local ings for such purposes.

taxation.

It is esimated that these changes will add five million dollars to the taxable

values of the State.

12. No county, city or town is allowed to subscribe to or become interested in the stock or obligations of any company association or corporation, for the pur pose of aiding in the construction or

maintenance of its works.

13. The tax rate on all tracts of land and lots and all tangible personal property is reduced from forty to thirty constitution. on the hundred dollars value for the period of four years after the adoption of the Constitution; but the General Assem bly may, during such four years, levy in addition to the annual appropriation for pensions prior to September 20, 1901, pecial tax for pensions on such property not exceeding five cents on the hundred dollars of the assessed value thereof.

#### Homestead Exemption.

The homestead exemption is the same is under the old Constitution except that it cannot be claimed in property changed for property which had purchased by the debtor and not paid for, nor in a shifting stock of goods, nor can it be claimed in property conveyed away by the debtor by deeds afterwards declared to be fraudulent.

# Rureau of Agriculture.

A Burcau of Agriculture and Imml-gration is established, to be composed of one practical farmer from each con gressional district, to be appointed by the Governor, subject to the confirmation of the Senate: and a Commissioner of Agri culture and Immigration shall be elected by the qualified voters of the State for the term of four years. Virginia Polytechnic Institute is to e an ex-officia member of the Board of Agri-culture and Immigration, and the President of the Board of Agriculture and Immigration shall be a member ex offi-cio of the Board of Visitors.

# Public Institutions and Prisons.

The State penitentiary is put under the government and control of five directors to be appointed by the Governor, with the advice and consent of the Senate, and this Board appoints the superin endents and surgeons thereof.

The State hospitals for the insane shall

have a special board of three directors, and the members of the special boards shall constitute a General Board of Directors for the control and management of ment of all the superintendents of said The terms of said superintendents to be four years instead of two

as now.

It is also provided that there shall be a Commissioner of State Hospitals for the Insane, who shall be ex-officio chairman of each of the local boards of directors and of the general board of directors, and he shall be held responsible for the proper disbursement of all moneys appropriated for the maintenance of said hospitals.

It is submitted that this new system has many advantages over the present system, for it in effect puts all the hospitals under one management and brings

system, not role management and brings pitals under one management and brings them in close touch with each other, and it is believed this will result in much benefit to the institution. And the change in reference to the penitentiary takes that institution out of the politics

# Corporations.

There is nothing in the old Constitution in reference to corporations, as these institutions had not, at the time of the adoption of the old Constitution, developed to such proportions. But it is deemed proper to call attention to some of the provisions of this important article, which, it is believed by the writer will be of great benefit not only writer, will be of great benefit, not only to the people of the State, but to the corporations as well.

It establishes a "State Corporation

Commission," consisting of three mem-bers, which is given, among other thinps the following powers:

1. The granting of charters to corpo-

rations under general laws to be enacted by the General Assembly. 2. The prescribing the forms of all re-ports which may be required of such corporations.
3. The discharging of the duties now

required of the Railroad Commissioner and the Board of Public Works. and the Board of Public Works.

4. The power of supervising, regulating and controlling all transportations and transmission companies in all matters relating to the performance of their public duties and of their charges there-

for, and may prescribe such rates, charges, classification of traffic and rules and regulations as may be reasonable and just.

5. The power to inspect at all times the best and presents.

Appeals are allowed from the decisions of the Commission to the Supreme Court

of the State. All corporations are required to make annual reports to the Commission of the status, business or condition of such corporation, as the General Assembly may prescribe, and the failure to report for two successive years will operate, under certain conditions, as a revocations of the charter of the corporations so failure certain conditions, as a revocations of the charter of the corporations so failing to report.

company shall charge or receive any greater compensation over a shorter than over a longer distance, along the same line and in the same direction, with some few specified exceptions.

Transportation and transmission panies shall not grant to members of the General Assembly, nor to State, county, district or municipal officers, free passes. The article contains what is known as the employers liability bill.

The General Assembly is required to enact laws preventing all trusts, combi nations, and monopolies inimical to the public welfare.

Ing the issue of stock and bonds by cor-porations are required to be enacted by the General Assembly, and whenever stock or bonds are to be issued by a corporation, it shall, before issuing such stock or onds file with the State Corporation Commission a statement setting which such stock or bonds are to be issued.

The above is simply an outline of the most important changes, wihout going into detail any more than is absolutely necessary to make plain the object of the changes.

GAVE SITE FOR COURTNOUSE.

Land on Which Henrico Court Hou Built Docated by Mr. Cocks.

Editor of The Times:
Sir.—I saw from a recent issue of the Sunday Times the original plan of Richmond as laid out by Colonel Byrd and also a list of those who took up lots in that plan, and among those I see the name or my great-great-grandfather, James Cocke who owned four lots in that plan. Did not the said James Cocke give the ground upon which the Henrico courthouse, clerk's office and jall now stand and other ground besides? Was the Henrica courthouse and clerk's office ever burned out before or during our Civil War? Would the records in the Henrico County Court clerk's office give any information as to James Cocke's family and the estate owned by him after the time he became owner of the four lots under the plan of Colonel Byrd? By answering through your valuable paper you will obliga.

Powhatan C. H., March 18, 1902.

Powhatan C. H., March 18, 1902 In compliance with the request of The Times, Mr. Samuel P. Waddill has very kindly prepared the subjoined reply to the above:

kindly prepared the subjoined reply to the above:

"I would state that on the 9th day of October, 1751, James Cocke conveyed to William Randolph, senior justice of Henrico county, lot No. 22, containing half an acre of the plan of the city of Richmond, as a site for a courthouse. He did not convey any ether land to the county that I am aware of. The courthouse was destroyed by fire in 1865. As to Mr. Cocke's family, perhaps the records here would throw some light as to their names, etc. and the estate owned by him. Prior to 1781, the records are not in continuous order, and some of these without indexes. An examination of them would have to be page by page. I do not see any mention to Mr. Cocke's name after 1781."

A NNUAL STATEMENT FOR THE YEAR ENDING DECEMBER 31, 1901, OF THE CONDITION AND AFFAIRS OF THE QUEEN INSURANCE COM-FANY OF AMERICA, ORGANIZED UNDER THE LAWS OF THE STATE OF NEW YORK, MADE TO THE AUDITOR OF PUBLIC ACCOUNTS OF THE COMMONWEALTH OF VIRGINIA, IN FURSUANCE TO THE LAWS OF VIR-GINIA.

President-EDWARD F. BEDDALL.
Secretary-NEVETT S. BARTOW.
Principal Office-43 CEDAR STREET, NEW YORK CITY.
Organized or Incorporated-SEPTEMEER 11, 1891.
Commenced Business-SEPTEMBER 11, 1891.

CAPITAL. Amount of capital stock subscribed Value of real estate owned by the compan BONDS AND STOCKS OWNED ABSOLUTELY BY THE COMPANY. Total Market

Urited States Government bonds......

New York State Canal Improvement
Loan bonds ......

Net York City consolidated bonds.....

City of Brookland Gravesend Improvement bonds ....

City of Brooklyn consolidated bonds...

City of Brooklyn Memorial Monument bonds

New York and Harlem R. R. Co. stock..

United New Jersey Railroad and Canal
Co.'s stock

N. Y., Lack. and Western Railroad Co.'s stock \$ 214,803 76 \$ 185,000 00 1,012,000 00 75,000 00 471,180 23 99,744 18 43,300 00 51,700 00 stock
Rome, Watertown and Ogdensburgh
Rallroad Co.'s stock
Pittsburgh, Fort Wayne and Chicago
Railroad Co.'s stock
Morris and Essex Railroad Co.'s stock.
Rensselaer and Saratoga R. R. Co.'s stock
Illinois Central (Leased Line) Railroad
Co.'s stock
Fort Wayne and Jackson Railroad Co.'s
stock
Cleveland and Pittsburgh R. R. Co.'s
stock Watertown and Ogdensburgh 100,000 00 104,750 00 30,000.00 44,100 00 25,000 00 10,000 00 49,000 00 30,625 00 29,400 00 60,000 00 stock
Farmers' Loan and Trust Co.'s stock...
210,000 New Zeland 4 per cent. stock...
20,250 Quebec 3 per cent. inscribed stock.
25,000 Manitoba 5 per cent. debentures.
Halifax, N. S., 5 ner cent. stock Halifax, N. S., 5 per cent. stock...... N. Y., Lack. and Western R. R bonds... 200,000 00 5,000 00 5.676 04 Chicago and Northwestern Sinking Fund R. R. bonds ..... 45,000 00 46,748 73 Pennsylvania Co. general mortgage R. R. 50,000 00 Morris and Essex first consolidated mort-110,000 00 102,605 68 gage R. R. bonds..... Lake Shore and Michigan Southern R. It. 47,000 00 47,000 00 bonds
Chi. St. Paul, Minn. and Omaha consolidated mortgage R. R. bonds.
Nerthern Pacific, Prior Lien and Land
Grant R. R. bonds. 25,000 00 28,555 00 100,000 00 92,197 18

Union Pacific first mortgage and land grant gold R. R. bonds..... Total par and market value (car-ried out at market value)..... \$ 3,230,025 00 

50,000 00

Total amount of all liabilities, except capital stock and net Joint-stock capital actually paid up in cush

Surplus beyond capital and all other liabilities Aggregate amount of all liabilities, including paid-up capital stock and net surplus.

RECEIPTS DURING THE YEAR. Gross premiums and bills unpaid at close of last year..... \$ 356,506 09 Deduct amount of same not collected...... 14 45 

otal \$3,555,149 13 educt gross premiums and bills in course of collection at this date \$429,243 72 

. DISBURSEMENTS DURING THE YEAR.

Net amount paid during the year for losses \$1,422,323 24
Cash dividends actually paid stockholders during the year 100,000 00
Paid for commission or brokerage. 413,404 48
Paid for salaries, fees, or other charges of officers, clerks, agents, and all other employes 180,207 08
Paid for State and local taxes in this and other States 59,802 71
All other payments and expenditures 137,749 18

Aggregate amount of actual disbursements during the year in

MONTAGUE & CO., Agents

5 North Tenth Street.